

C. Remarks

Claim 1 has been amended. Support for the amendment to claim 1 can be found in the Specification, for example at page 6, lines 10-12 and on page 17 lines 9-11, and on page 18, line 32 through page 19, line 5. Claims 1-21 are presented for examination.

Claims 1-21 have been rejected under 35 U.S.C. §112, paragraph 1, as being based on a non-enabling disclosure. The Office Action asserts that the specification is not enabling for the reasons set forth in the first Office Action (paper no.3) and also asserts that the “metes and bounds of the invention” are not set forth in the claims. For the following reasons, Applicant respectfully traverses the rejection.

The enablement requirement under section 112 requires the specification to teach those skilled in the art how to make and use the full scope of the claimed invention without undue experimentation. In that regard, Applicant has exemplified the articles described by the pending claims, including data on foam split strength, Shore A hardness, stretch release performance and skin adhesive delamination, tensile break strength, and 90 degree peel adhesion to glass and to stainless steel (see, e.g., specification, p. 32, Table 2; p. 35, Table 4; p. 37, Table 6; p. 40, Table 8; and p. 41, Table 9). The multiple criteria and the data set forth in the specification (e.g., p. 7 line 20 – p. 8 line 2) enables the skilled artisan to make and use the adhesive article as defined in the pending claims. The invention is broadly described and adequately supported in the disclosure provided in Applicant’s specification.

For at least the foregoing reasons, the present specification is enabling of the claimed invention, and the reconsideration and withdrawal of the Office’s section 112 rejection of claims 1-21 is requested.

Claims 1-21 have been rejected under 35 U.S.C. §103(a) as unpatentable over Kreckel et al. (US 5,989,708) in view of Joseph et al. (U.S. 5,238,733). The rejection is respectfully traversed. Reconsideration and withdrawal of this rejection is requested. Kreckel et al. (herein “Kreckel”) disclose a removable tape comprising a highly extensible and substantially inelastic backing and a pressure sensitive adhesive that is preferably highly extensible (Abstract). The backing can be in the form of a foam-like film (col. 4, line 11). The backing can be made from

materials such as polymers, plastic materials, plastic and elastomeric materials, and filled materials. The backings of Kreckel can be made by any known method of forming, and they can be pretreated prior to coating or laminating an adhesive onto the backing. Kreckel does not disclose or suggest a polymeric foam having adhesive properties with fibrous reinforcing material dispersed throughout the foam and oriented in the machine direction to impart stretch release properties to the article, as in the present invention (see amended claim 1).

The secondary reference to Joseph et al. (herein "Joseph") does not make up for the deficiencies of Kreckel. Joseph describes melt-blown multilayer fibers prepared by creating fibers having distinct layers of low modulus material and high modulus material (col. 2, lines 23-24; col. 5, lines 51-60). The fibers may be used to make a non-woven highly extendable web. Such a non-woven web would be extendable in both the machine direction and the cross direction. Joseph does not teach or suggest the inclusion of fibrous reinforcing material dispersed throughout a polymeric foam material. Nor does Joseph teach or suggest that the fibrous reinforcing material be oriented in the machine direction to impart stretch release properties to the article. While the non-woven web provided by Joseph is useful as a tape backing capable of being bonded to a substrate and removed therefrom by stretching the backing (col. 11, lines 10-13), Joseph does not disclose or suggest foam materials containing oriented fibrous material dispersed throughout a foam layer to impart stretch release properties to the foam.

For at least the foregoing reasons, reconsideration and withdrawal of the section 103(a) rejection of Applicant's claims is now requested.

Applicant has endeavored to address all of the issues raised in the recent Office Action. It is now believed that the application is in condition for allowance, and the allowance of all pending claims is now requested.

Nov. 25, 2003

Date

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